

**United States Bankruptcy Court
Central District of California
Northern Division
Judge Peter Carroll, Presiding
Courtroom 201 Calendar**

Tuesday, June 21, 2016

Hearing Room 201

10:00 AM

9:11-12278 Santos Bojorquez and Georgina R. Bojorquez

Chapter 13

#1.00 HearingRE: [87] Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 1857 Bungalow Dr, Santa Maria, CA 93458, with Proof of Service . (Estle, Mark)

Docket 87

Tentative Ruling:

None.

Final Ruling. This motion for relief from the automatic stay has been set for hearing on the notice required by LBR 4001(c)(1) and LBR 9013-1(d) (2). The failure of the debtors, the trustee, and all other parties in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9013-1(f) is considered as consent to the granting of the motion. LBR 9013-1 (h). Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court is granting the relief requested by the moving party and for which a *prima facie* case has been established, an actual hearing is not necessary. See Boone v. Burk (In re Eliapo), 468 F.3d 592, 602 (9th Cir. 2006). Their defaults are entered and the matter will be resolved without oral argument. LBR 9013-1(j)(3). **No appearance is necessary.**

The motion is granted pursuant to 11 U.S.C. § 362 (d)(1) to permit the movant, its successors, transferees and assigns, to enforce its remedies to foreclose upon and obtain possession of the property in accordance with applicable law. Movant may not pursue any deficiency claim against the debtors or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501. Movant is secured by a deed of trust encumbering the debtors' residence. The plan requires that the post-petition note installments be paid directly to the movant. The debtors have failed to pay 15 post-petition installments. This is cause to terminate the automatic stay. See Ellis v. Parr (In re Ellis), 60 B.R. 432, 434-435 (9th Cir. BAP 1985).

The trustee must not make any future payments on account of Movant's secured claim after entry of the order granting the motion. The

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CONT... Santos Bojorquez and Georgina R. Bojorquez

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secured portion of Movant's claim will be deemed withdrawn upon entry of the order without prejudice to Movant's right to file an amended unsecured claim for any deficiency. Absent a stipulation or order to the contrary, Movant must return to the chapter 13 trustee any payments received from the trustee on account of Movant's secured claim after entry of the order granting the motion.

The 14-day period specified in FRBP 4001(a)(3) is waived. This order shall be binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Code. All other relief is denied.

The movant shall submit an appropriate order.

Party Information

Debtor(s):

Santos Bojorquez

Represented By
William L Redell
Michael B Clayton

Joint Debtor(s):

Georgina R. Bojorquez

Represented By
William L Redell
Michael B Clayton

Trustee(s):

Elizabeth (ND) F Rojas (TR)

Pro Se

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Hearing Room 201

10:00 AM

9:12-12373 George L Edwards and Peggy M Edwards

Chapter 13

#2.00 HearingRE: [58] Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 1735 Wade Drive, Paso Robles, CA 93446 . (Zilberstein, Kristin) WARNING: Item subsequently amended by docket entry #60 Modified on 6/1/2016 (Ortiz, Amber).

Docket 58

Tentative Ruling:

None.

Party Information

Debtor(s):

George L Edwards

Represented By
Richard E Rossi

Joint Debtor(s):

Peggy M Edwards

Represented By
Richard E Rossi

Trustee(s):

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
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Hearing Room 201

10:00 AM

9:16-10210 Jacy A. Eiland

Chapter 7

#3.00 HearingRE: [15] Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 736 W. Sugarloaf Blvd, Big Bear City, CA 92314 . (O, Christina)

Docket 15

Tentative Ruling:

None.

Final Ruling. This motion for relief from the automatic stay has been set for hearing on the notice required by LBR 4001(c)(1) and LBR 9013-1(d) (2). The failure of the debtor, the trustee, and all other parties in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9013-1(f) is considered as consent to the granting of the motion. LBR 9013-1 (h). Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court is granting the relief requested by the moving party and for which a *prima facie* case has been established, an actual hearing is not necessary. See Boone v. Burk (In re Eliapo), 468 F.3d 592, 602 (9th Cir. 2006). Their defaults are entered and the matter will be resolved without oral argument. LBR 9013-1(j)(3). **No appearance is necessary.**

The motion is granted pursuant to 11 U.S.C. § 362 (d)(1) to permit movant, its successors, transferees and assigns, to enforce its remedies to foreclose upon and obtain possession of the property in accordance with applicable law. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501 and/or a timely complaint to determine the nondischargeability of the debt under 11 U.S.C. § 523. The court takes judicial notice of the fact that Debtor did not disclose an interest in the subject property in Schedule A, but disclosed an intention to surrender the property in his Chapter 7 Individual Debtor's Statement of Intention filed in this case on March 1, 2016. The Chapter 7 trustee has filed a no asset report. Movant has established a *prima facie* case that cause exists, and debtor has not responded with evidence establishing that the property is not declining in value or that movant is

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CONT... **Jacy A. Eiland**
adequately protected.

Chapter 7

The 14-day period specified in FRBP 4001(a)(3) is waived. This order shall be binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Code. All other relief is denied.

The movant shall submit an appropriate order.

Party Information

Debtor(s):

Jacy A. Eiland

Represented By
Brian Nomi

Trustee(s):

Sandra McBeth (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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Hearing Room 201

10:00 AM

9:16-10266 David A. Crawley and Carla R. Crawley

Chapter 7

#4.00 HearingRE: [12] Notice of motion and motion for relief from automatic stay with supporting declarations ACTION IN NON-BANKRUPTCY FORUM RE: Superior Court of California, County of Ventura (Montgomery v Crawley) 56-2015-00472200-CU-BC-VTA .

Docket 12

Tentative Ruling:

None.

Final Ruling. This motion for relief from the automatic stay has been set for hearing on the notice required by LBR 4001(c)(1) and LBR 9013-1(d) (2). The failure of the debtors, the trustee, and all other parties in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9013-1(f) is considered as consent to the granting of the motion. LBR 9013-1 (h). Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court is granting the relief requested by the moving party and for which a *prima facie* case has been established, an actual hearing is not necessary. See Boone v. Burk (In re Eliapo), 468 F.3d 592, 602 (9th Cir. 2006). Their defaults are entered and the matter will be resolved without oral argument. LBR 9013-1(j)(3). **No appearance is necessary.**

The motion is granted pursuant to 11 U.S.C. § 362(d)(1) to permit movant, its successors, transferees and assigns, to proceed in the non-bankruptcy forum to final judgment (including any appeals) in accordance with applicable non-bankruptcy law. Movant shall not enforce its final judgment against the debtors or property of the estate, except by filing a proof of claim in this bankruptcy case pursuant to 11 U.S.C. § 501 or a complaint to determine the nondischargeability of the debt in this court.

According to the evidence, movant filed a complaint in Case No. 56-2015000472200-CU-BC-VTA, styled Montgomery v. Crawley, in the Superior Court of California, County of Ventura on September 14, 2015, seeking the following relief: fraud in the inducement, premises liability, negligence, breach of contract, failure to return security deposit and breach of warranty of habitability. Cause exists for relief

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under 11 U.S.C. § 362(d)(1) because the claims at issue arise under non-bankruptcy law and can be most expeditiously resolved in the non-bankruptcy forum.

The 14-day period specified in FRBP 4001(a)(3) is waived. This order shall be binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Code. All other relief is denied.

The movant shall submit an appropriate order.

Party Information

Debtor(s):

David A. Crawley

Represented By
Brian Nomi

Joint Debtor(s):

Carla R. Crawley

Represented By
Brian Nomi

Trustee(s):

Jerry Namba (TR)

Pro Se

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9:16-10578 Robert E Crandall

Chapter 13

#5.00 HearingRE: [23] Notice of motion and motion for relief from the automatic stay with supporting declarations REAL PROPERTY RE: 620 Pine Ridge Lane, Arroyo Grande CA 93444 . (Grant, Karen)

Docket 23

Tentative Ruling:

None.

Party Information

Debtor(s):

Robert E Crandall

Represented By
Jerry Namba

Trustee(s):

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
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Hearing Room 201

10:00 AM

9:16-10725 Eva Mae Bohard

Chapter 13

#6.00 Hearing

RE: [15] Motion for Relief from Stay Notice of Motion and Motion for Relief From
The Automatic Stay Under 11 USC Section 362 with Proof of Service.

Docket 15

***** VACATED *** REASON: Case dismissed on 6-10-16**

Tentative Ruling:

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Party Information

Debtor(s):

Eva Mae Bohard

Pro Se

Trustee(s):

Elizabeth (ND) F Rojas (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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Hearing Room 201

10:00 AM

9:16-10794 Martin Rubio Hernandez and Rosalinda Rubio

Chapter 7

#7.00 HearingRE: [10] Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2015 CHEVROLET CRUZE, VIN 1G1PC5SB4F7275672 . (Wang, Jennifer)

Docket 10

Tentative Ruling:

None.

Final Ruling. This motion for relief from the automatic stay has been set for hearing on the notice required by LBR 4001(c)(1) and LBR 9013-1(d) (2). The failure of the debtors, the trustee, and all other parties in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9013-1(f) is considered as consent to the granting of the motion. LBR 9013-1 (h). Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court is granting the relief requested by the moving party and for which a *prima facie* case has been established, an actual hearing is not necessary. See Boone v. Burk (In re Eliapo), 468 F.3d 592, 602 (9th Cir. 2006). Their defaults are entered and the matter will be resolved without oral argument. LBR 9013-1(j)(3). **No appearance is necessary.**

The motion is granted pursuant to 11 U.S.C. § 362(d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtors or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501 and/or a timely complaint to determine the nondischargeability of the debt under 11 U.S.C. § 523. Since a chapter 7 case does not contemplate reorganization, the sole issue before the court when stay relief is sought under 11 U.S.C. § 362(d)(2) is whether the debtors have equity in the property. See e.g., Nev. Nat'l Bank v. Casbul of Nev., Inc. (In re Casgul of Nev., Inc.), 22 B.R. 65, 66 (9th Cir. BAP 1982); Ramco Indus. v. Preuss (In re Preuss), 15 B.R. 896 (9th Cir. BAP 1981).

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CONT...

Martin Rubio Hernandez and Rosalinda Rubio

Chapter 7

The subject property has a value of \$15,200.00 and is encumbered by a perfected security interest in favor of the movant. That security interest secures a claim of \$24,666.96. There is no equity in the subject property and no evidence that the trustee can administer the subject property for the benefit of creditors. Furthermore, the court takes judicial notice of the Chapter 7 Individual Debtor's Statement of Intention filed in this case on May 12, 2016, in which the debtors stated an intention to surrender the property to movant.

The 14-day period specified in FRBP 4001(a)(3) is waived. The stay is annulled retroactive to the petition date, so that enforcement actions taken by movant, if any, before receipt of notice of the automatic stay will not be deemed to have been voided by the automatic stay. See Nat'l Env'tl. Waste Corp. v. City of Riverside (In re Nat'l Env'tl. Waste Corp.), 129 F.3d 1052, 1055 (9th Cir. 1997). This order shall be binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Code. All other relief is denied.

The movant shall submit an appropriate order.

Party Information

Debtor(s):

Martin Rubio Hernandez

Pro Se

Joint Debtor(s):

Rosalinda Rubio

Pro Se

Trustee(s):

Jeremy W. Faith (TR)

Pro Se

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10:00 AM

9:16-10914 Rafael Stoneman

Chapter 7

#8.00 HearingRE: [13] Notice of motion and motion for relief from the automatic stay with supporting declarations PERSONAL PROPERTY RE: 2006 Toyota Tacoma .

Docket 13

Tentative Ruling:

None.

Final Ruling. This motion for relief from the automatic stay has been set for hearing on the notice required by LBR 4001(c)(1) and LBR 9013-1(d) (2). The failure of the debtor, the trustee, and all other parties in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9013-1(f) is considered as consent to the granting of the motion. LBR 9013-1 (h). Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court is granting the relief requested by the moving party and for which a *prima facie* case has been established, an actual hearing is not necessary. See Boone v. Burk (In re Eliapo), 468 F.3d 592, 602 (9th Cir. 2006). Their defaults are entered and the matter will be resolved without oral argument. LBR 9013-1(j)(3). **No appearance is necessary.**

The motion is granted pursuant to 11 U.S.C. § 362(d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim. Movant may not pursue any deficiency claim against the debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501 and/or a timely complaint to determine the nondischargeability of the debt under 11 U.S.C. § 523. Since a chapter 7 case does not contemplate reorganization, the sole issue before the court when stay relief is sought under 11 U.S.C. § 362(d)(2) is whether the debtor has equity in the property. See e.g., Nev. Nat'l Bank v. Casbul of Nev., Inc. (In re Casgul of Nev., Inc.), 22 B.R. 65, 66 (9th Cir. BAP 1982); Ramco Indus. v. Preuss (In re Preuss), 15 B.R. 896 (9th Cir. BAP 1981).

The subject property has a value of \$15,500.00 and is encumbered by a

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CONT... Rafael Stoneman

Chapter 7

perfected security interest in favor of the movant. That security interest secures a claim of \$16,386.58. There is no equity in the subject property and no evidence that the trustee can administer the subject property for the benefit of creditors. Furthermore, the court takes judicial notice of the Chapter 7 Individual Debtor's Statement of Intention filed in this case on May 16, 2016, in which the debtor stated an intention to surrender the property to movant.

The 14-day period specified in FRBP 4001(a)(3) is waived. This order shall be binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of Title 11 of the United States Code. All other relief is denied.

The movant shall submit an appropriate order.

Party Information

Debtor(s):

Rafael Stoneman

Represented By
Andrew S Mansfield

Trustee(s):

Jeremy W. Faith (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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Hearing Room 201

10:00 AM

9:16-11054 Yvette Lounsbury

Chapter 13

#8.10 HearingRE: [9] Notice of Motion and Motion in Individual Case for Order Imposing a Stay or Continuing the Automatic Stay as the Court Deems Appropriate (Real Property 2319 Northstar Lane, Oxnard, CA 93036) (with proof of service).

Docket 9

Tentative Ruling:

None.

Final Ruling. This motion for order continuing the automatic stay as to all creditors has been set for hearing on shortened time pursuant to LBR 9075-1(b) by order entered on June 9, 2016 (Dkt. 11), with an opposition deadline set for June 17, 2016 at 12:00 p.m. The failure of the trustee and all parties in interest to file written opposition by the deadline is considered as consent to the granting of the motion. LBR 9013-1(h). Cf. Ghazali v. Moran, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court is granting the relief requested by the moving party and for which a *prima facie* case has been established, an actual hearing is not necessary. See Boone v. Burk (In re Eliapo), 468 F.3d 592, 602 (9th Cir. 2006). Their defaults are entered and the matter will be resolved without oral argument. LBR 9013-1(j)(3). **No appearance is necessary.**

Section 362(c)(3)(A) states that if a single or joint case is filed by or against a debtor who is an individual in a case under chapter 7, 11, or 13, and if a single or joint case of the debtor was pending within the preceding 1-year period but was dismissed, other than a case refiled under a chapter other than chapter 7 after dismissal under § 707(b), the stay under § 362(a) with respect to any action taken with respect to a debt or property securing such debt or with respect to any lease shall terminate *with respect to the debtor* on the 30th day after the filing of the later case. 11 U.S.C. § 362(c)(3)(A) (emphasis added).

On motion of a party in interest for *continuation* of the automatic stay and upon notice and a hearing, the court may extend the stay in particular cases as to any and all creditors (subject to such conditions and limitations as the

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CONT... Yvette Lounsbury

Chapter 13

court may then impose) **after notice and a hearing completed before expiration of the 30-day period** *only if the party in interest demonstrates that the filing of the later case is in good faith as to the creditors to be stayed.* 11 U.S.C. § 362(c)(3)(B) (emphasis added).

For purposes of § 362(c)(3)(B), a case is presumptively filed "not in good faith" as to *all creditors* if any one of the following circumstances exist: (1) more than 1 previous case under any of chapters 7, 11, and 13 in which the individual was a debtor was pending within the preceding 1-year period; (2) a previous case under any of chapters 7, 11, and 13 in which the individual was a debtor was dismissed within such 1-year period, after the debtor failed to (a) file or amend the petition or other documents as required by the Code or the court without substantial excuse (mere inadvertence or negligence does not constitute substantial excuse, unless the dismissal was caused by the negligence of the debtor's attorney); (b) provide adequate protection as ordered by the court; (c) perform the terms of a plan confirmed by the court; or (3) there has not been a substantial change in the financial or personal affairs of the debtor since the dismissal of the next most previous case under chapter 7, 11, or 13 or any other reason to conclude that the later case will be concluded with a discharge if filed under chapter 7 or a plan that will be fully performed if filed under chapters 11 or 13. 11 U.S.C. § 362(c)(3)(C)(i) (emphasis added).

For purposes of § 362(c)(3)(B), a case is presumptively filed "not in good faith" as to *any particular creditor* that commenced an action under § 362 (d) in a previous case in which the individual was a debtor if, as of the date of dismissal of such case, that action was still pending or had been resolved by terminating, conditioning, or limiting the stay as to actions of such creditor. 11 U.S.C. § 362(c)(3)(C)(ii). Such presumptions may be rebutted only by clear and convincing evidence to the contrary. 11 U.S.C. § 362(c)(3)(C) (emphasis added).

In this case, debtor filed a voluntary chapter 13 petition on June 7, 2016. This motion was filed on June 9, 2016, and was noticed for a hearing to be concluded within the 30-day period following the filing of the petition. The motion is timely.

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CONT...

Yvette Lounsbury

Chapter 13

According to the evidence, debtor seeks a continuation of the automatic stay as to all creditors in the case. Debtor's states that dismissal of prior chapter 13 case was due to the actions of debtor's prior counsel. Debtor has now retained new counsel and intends to seek confirmation of a chapter 13 plan.

There being no evidence to the contrary, the court grants the relief requested in the motion based upon an apparent change in the personal and financial affairs of the debtor since dismissal of the last case.

Debtor's counsel shall submit an appropriate order.

Party Information

Debtor(s):

Yvette Lounsbury

Represented By
Todd J Mannis

Trustee(s):

Elizabeth (ND) F Rojas (TR)

Pro Se

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9:16-11062 Araceli Contreras

Chapter 13

#8.20 HearingRE: [6] Notice of Motion and Motion in Individual Case for Order Imposing a Stay or Continuing the Automatic Stay as the Court Deems Appropriate .

Docket 6

Tentative Ruling:

None.

Party Information

Debtor(s):

Araceli Contreras

Pro Se

Trustee(s):

Elizabeth (ND) F Rojas (TR)

Pro Se

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10:01 AM

9:13-12389 Rosario Lawrence

Chapter 7

#9.00 Hearing re final applications for fees and expenses by professionals:

JEREMY FAITH, Ch. 7 Trustee

MARGULIES FAITH LLP, Attys. for Trustee

HAHN, FIFE & CO., Accounts for Trustee

Docket 71

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Rosario Lawrence

Represented By
David S Quintana

Trustee(s):

Jeremy W. Faith (TR)

Represented By
Meghann A Triplett
Noreen A Madoyan

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10:01 AM

9:14-11835 Keith G Speir and Rhonda L Spier

Chapter 7

#10.00 Hearing
RE: [186] Motion to Avoid Lien 1795 Passadena Ave., Fillmore CA 93015 with
Steve & Leana Smith

Docket 186

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Keith G Speir

Represented By
Janet A Lawson

Joint Debtor(s):

Rhonda L Spier

Represented By
Janet A Lawson

Trustee(s):

Sandra McBeth (TR)

Pro Se

**United States Bankruptcy Court
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Hearing Room 201

10:01 AM

9:15-12300 Maria G Andrade

Chapter 7

#11.00 Hearing
RE: [34] Motion to Convert Case From Chapter 7 to 13.

Docket 34

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Maria G Andrade

Represented By
Rennee R Dehesa
William E Winfield

Trustee(s):

Jeremy W. Faith (TR)

Represented By
Noreen A Madoyan

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10:01 AM

9:16-10175 Ken Wayne Butler and Susan Lynn Butler

Chapter 7

#12.00 Hearing
RE: [39] Motion For Sale of Property of the Estate under Section 363(b) - No
Fee with proof of service (Beall, William)

Docket 39

***** VACATED *** REASON: Withdrawn by the Trustee**

Tentative Ruling:

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Party Information

Debtor(s):

Ken Wayne Butler

Represented By
Andrew S Mansfield

Joint Debtor(s):

Susan Lynn Butler

Represented By
Andrew S Mansfield

Trustee(s):

Sandra McBeth (TR)

Represented By
William C Beall

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10:01 AM

9:16-10389 Joseph William Bissell

Chapter 7

#13.00 Hearing
 RE: [32] Motion to Convert Case From Chapter 7 to 11. with proof of service
 William)

Docket 32

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Joseph William Bissell

Represented By
William C Beall

Trustee(s):

Jeremy W. Faith (TR)

Represented By
Meghann A Triplett

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10:01 AM

9:15-11768 Brent Mansfield Healy

Chapter 7

#14.00 Hearing

RE: [90] Motion for Turnover of Property NOTICE OF MOTION AND MOTION TO COMPEL TURNOVER OF ESTATE REAL PROPERTY AND, IF NECESSARY, FOR THE AUTHORITY TO FORCIBLY EVICT THE DEBTOR AND OTHER OCCUPANTS OF ESTATE REAL PROPERTY; MEMORANDUM OF POINTS AND AUTHORIZES; SUPPORTING DECLARATIONS OF JERRY NAMBA AND REED H. OLMSTEAD (Olmstead, Reed)

Docket 90

Tentative Ruling:

None.

Final Ruling. This motion to compel turnover of estate property has been filed by the chapter 7 trustee and set for hearing on shortened time pursuant to LBR 9075-1(b) by order entered on June 9, 2016 (Dkt. 95), with an opposition deadline set for June 17, 2016 at 12:00 p.m. The failure of the debtor and parties in interest to file written opposition at least 14 days prior to the hearing as required by LBR 9013-1(f) is considered as consent to the granting of the motion. LBR 9013-1(h). *Cf. Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995). Further, because the court is granting the relief requested by the moving party and for which a *prima facie* case has been established, an actual hearing is not necessary. *See Boone v. Burk (In re Eliapo)*, 468 F.3d 592, 602 (9th Cir. 2006). Their defaults are entered and the matter will be resolved without oral argument. LBR 9013-1(j)(3). **No appearance is necessary.**

The motion is granted. The movant shall submit an appropriate order granting the relief requested in the motion.

Party Information

Debtor(s):

Brent Mansfield Healy

Represented By

**United States Bankruptcy Court
Central District of California
Northern Division
Judge Peter Carroll, Presiding
Courtroom 201 Calendar**

Tuesday, June 21, 2016

Hearing Room 201

10:01 AM

CONT... Brent Mansfield Healy

William E Winfield

Chapter 7

Trustee(s):

Jerry Namba (TR)

Represented By
Reed H Olmstead

**United States Bankruptcy Court
Central District of California
Northern Division
Judge Peter Carroll, Presiding
Courtroom 201 Calendar**

Tuesday, June 21, 2016

Hearing Room 201

10:01 AM

9:09-12497 Susan Veley

Chapter 7

#15.00 Hearing
RE: [25] Motion For Contempt Application for Order to Show Cause Re:
Contempt with Proof of Service

FR. 6-14-16

Docket 25

***** VACATED *** REASON: Off Calendar: Order to Show Cause set for
August 9, 2016 @ 10am**

Tentative Ruling:

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Party Information

Debtor(s):

Susan Veley

Represented By
Vaughn C Taus
Leslie A Tos

Trustee(s):

Jerry Namba (TR)

Pro Se